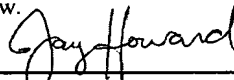


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David S. Ruch and Richard M. Bryant  
Date Filed: November 13, 2003  
Title: **APPARATUS AND METHOD FOR  
MAINTAINING BONES IN A HEALING  
POSITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service as Express Mail No. EV334588938US addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

  
Jay Howard

November 13 2003  
Date

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

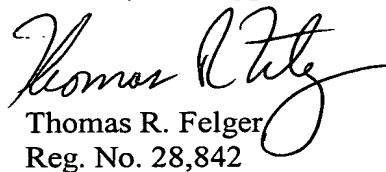
Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified application. Since the present Application was filed after June 30, 2003, a copy of any U.S. Patent and any U.S. Patent Application Publication cited on the attached PTO Form 1449 are not being submitted with this Information Disclosure Statement pursuant to the July 11, 2003 waiver of 37 C.F.R. §1.98(A)(2)(i) by the U.S. Patent and Trademark Office.

Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), no representation is made that these references are material to the patentability of the present application.

Applicants believe no fees are due for this Information Disclosure Statement, however, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 02-0384 of Baker Botts L.L.P. in order to effectuate this filing.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicants

  
Thomas R. Felger  
Reg. No. 28,842

Date: 13 Nov 2003

Correspondence Address:

At Customer No. **05073**

Baker Botts L.L.P.  
2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
Telephone: 512.322.2599  
Facsimile: 512.322.8305

449

**Information Disclosure Citation  
in an Application**

Application No.

Unassigned

Applicant(s)

David S. Ruch et al.

Docket Number

090928.A197

Group Art Unit

Unassigned

Filing Date

November 13, 2003

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A.	4988349	1/29/91	Pennig	606	58	7/16/90
	B.	5372597	12/13/94	Hotchkiss et al.	606	56	5/12/93
	C.	5437667	8/1/95	Papierski et al.	606	55	6/7/94
	D.	6010501	1/4/00	Raskin et al.	606	54	12/15/97
	E.	6056748	5/2/00	Weiner	606	55	2/20/98
	F.	6283964	9/4/01	Weiner	606	55	7/7/99
	G.						
	H.						
	I.						
	J.						
	K.						
	L.						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	M.							
	N.							
	O.							
	P.							

**NON-PATENT DOCUMENTS**

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	Q.		
	R.		
	S.		
	T.		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.